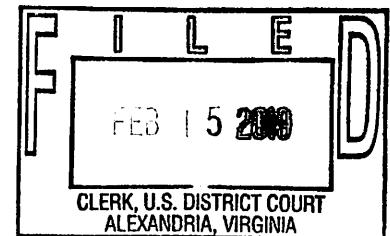


IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)

v.)

RENE ALFONSO CHAVEZ CASERES)
Defendant.)

)

)

) Criminal No. 1:19-mj-83

)

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Mark Tlumacki, being duly sworn, state the following:

1. I am a deportation officer with the United States Immigration and Customs Enforcement (“ICE”) in Fairfax, Virginia. I have been employed with ICE for over five years. During that time I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code. My duties as a deportation officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant for RENE ALFONSO CHAVEZ CASERES an alien who was found in the United States after being denied admission, excluded, deported, or removed, and having departed the United States while an order of exclusion, deportation, or removal was outstanding, in violation of Title 8, United States Code, Sections 1326(a).

3. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during the course of this investigation, as

well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, and it is not intended to include each and every fact and matter observed by me or known to the government.

PROBABLE CAUSE

4. On or about May 28, 2016, ICE received information from the Fairfax County Adult Detention Center (“FCADC”), located in Fairfax, Virginia, within the Eastern District of Virginia, that CHAVEZ CASERES an alien, was detained at FCADC, after an arrest for misdemeanor driving under the influence in violation of Virginia Code 18.2-266. ICE performed records checks which confirmed that CHAVEZ CASERES is a Salvadorian national who was removed from the United States to El Salvador on or about June 18, 2007 at or near Albuquerque, New Mexico.

5. On or about May 28, 2016 CHAVEZ CASERES was fingerprinted at FCADC. An electronic copy of CHAVEZ CASERES’s fingerprints were then processed through ICE indices containing fingerprint records of known and previously deported aliens. Results of this query showed positive matches to CHAVEZ CASERES and known aliases, associated with both his Federal Bureau of Investigation (FBI)/Universal Control Number (UCN), and his Alien Registration Number.

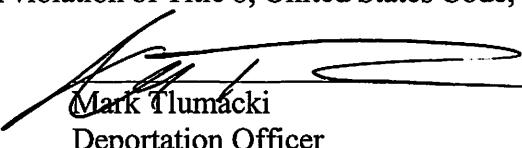
6. I reviewed CHAVEZ CASERES’s, alien file, which includes executed ICE Form I-205 (Warrant of Removal/Deportation), containing CHAVEZ CASERES’s photograph, fingerprint, and signature.

7. On February 3, 2019, CHAVEZ CASERES’s fingerprints from prior Form I-205 dated June 18, 2007 were submitted to the FBI Special Processing Center. On February 3, 2019, the FBI stated the I-205 was an identical match, to CHAVEZ CASERES’s FBI/UCN number and

the electronic fingerprints on file in the FBI database from previous administrative, and criminal encounters. In addition, using my knowledge, training, and experience I compared the booking photo taken at arrest by FCADC on May 28, 2016 with the I-205 photo, and they appear to be of the same subject.

8. CHAVEZ CASERES's alien file lacks evidence of any immigration benefit, document, or status that would allow him to enter, be admitted, pass through, or reside in the United States legally. Further, CHAVEZ CASERES has not obtained permission from the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States following his formal removal.

9. Based on the foregoing, I submit there is probable cause to believe that on or about May 28, 2016 in Fairfax, Virginia, within the Eastern District of Virginia, CHAVEZ CASERES an alien who was removed from the United States to El Salvador on or about June 18, 2007 at or near Albuquerque, New Mexico, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, §1326(a).



Mark Tlumacki

Deportation Officer
United States Immigration and Customs
Enforcement

Subscribed and sworn to before me
This 15 day of February 2019

John F. Anderson
United States Magistrate Judge
Honorable John F. Anderson
United States Magistrate Judge
Alexandria, Virginia